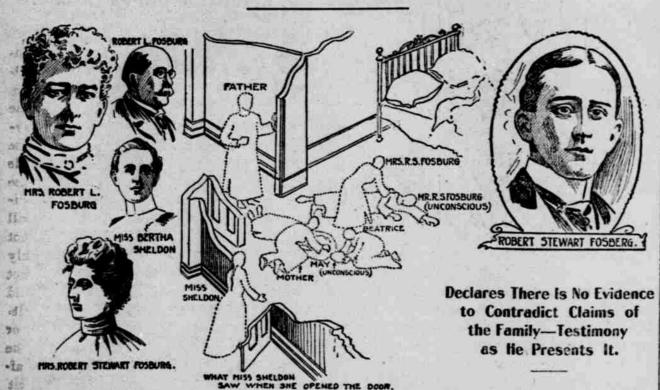
## "MAY FOSBURG WAS UNDOUBTEDLY SHOT TO DEATH BY BURGLARS."

-Attorney Seneca N. Taylor.

St. Louis Lawyer for the Defense Presents His Plea Against Any Guilt on the Part of the Dead Girl's Brother.



ey Senecca N. Taylor of counsel for in the case of Robert S. Fosburg. ed of having killed his sister, Miss

Young Mr. Fosburg is held by the police on the theory that he and his wife had quarreled; that the interference of Fosburg's father led to a fight between the men and that May, entering at that moment, was shot by a bullet intended for Fosburg. Sr.

The Fosburg family has claimed all along that burglars entered the house, that the two men attacked them and that the physical injuries they received and which the police say supports the theory of a fight between the Fosburgs were inflicted by the burglars and that Miss May was killed by the burglars as she came from her room upon hearing the tounds of the struggle.

Mr. Taylor's statement is in support of this contention and reviews the testimony of every member of the family and of Miss Sheldon, which is unanimous in support of the burglar theory, and which, he claims, has not been controverted in any particular. Then he takes up what he calls "the physical facts," as corroborating the oral testimony.

In the

"There are back stairs between the ouse occupied by the Fosburgs and the arriage house, separating the two building, which stairs lead from the ground of the aplatform at the top, and a door adding into the attic, and then a stars adding into the attic, and then a stars

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jeading from the attic to the second floor and into the spare room. Now, on the morning of the tragedy, a peculiar form of match, known as "Lumberman's matches," which, on lighting, makes in matches, which, on lighting, makes in burns longer than parlor matches, were found on the back stairs leading from the ground floor to the attic, and also in the ground floor to the attic, and also in the ground floor to the attic, and also in the ground floor to the attic, and also in the ground floor to the attic, and also in the ground floor to the attic, and also in the spare room, and also in the little hallway. What is an ordinary team, the distance from the ground floor to the attic, and also in the spare room, and also in the little hallway. What is mean is the remnants of matches after the main part had been burned. Matches after the tragedy, Chief of hiller which were found at the house of Mr. Chapman a policeman of Pittsfield, the burned white the main that had been entered the same night of the stated were found at the house of Mr. Chapman a policeman of Pittsfield, that had been entered the same night of the stated were found the word of the main that had been entered the same night of the stated were found at the house of Mr. Chapman a policeman of Pittsfield, and the distance driven in two house were been sailed them with remnants of matches after the watches which had land the distance driven in two houses and half, thus reaching the mill and this thus the world was a state of t

the puglist, and Hackett as his trainer.

Now, all of them have admitted that they spent the whole of Thursday in Pittsfield, and persons who know them saw them there on that day. They all admit that on Saturday they returned to Pittsfield and spent part of the day, and that on Saturday afternoon they went from Pittsfield to North Adams, and there Quinn and Bly rented and paid for the use of a room for a week. Quinn and Bly being roommates. Patterson and Hackett rented a room in another house for a week and paid for it in advance.

"North Adams is twenty miles distant from Pittsfield, and both towns are situated on the Boston and Albany Railway, which operates frequent trains, both night and day, between the two towns.

"Bly and Quinn occupied their room at North Adams Saturday night. They did not occupy it Sunday night. They did not occupy it Sunday night. The four burnlars have admitted these facts, and, moreover, the persons from whom they rented their rooms, who are well known, assert that they did not occupy their rooms Sunday night.

"On Monday after the tragedy Patterson and Hackett ever occupy their room at at any time after Saturday night.

"On Monday after the tragedy Patterson and Hackett turned up in Pittsfield. Later in the day on Monday Bly and Quinn were also in Pittsfield. They were seen and talked with persons in Pittsfield. Moreover, on Tuesday, Quinn called at the express office and sent a dressing case by express from Pittsfield to some other point.

"On Monday last I saw Patterson in jail at Taunton, Mass., but he declined to be

"On Monday last I saw Patterson in jail at Taunton, Mass., but he declined to be interviewed. I saw Hackett, the outlaw, and interviewed him at considerable length, Bot' Patterson and Hackett are prisoners at the Taunton jail, each having several charges against him for thieving and burglary. One of these charges against them related to the stealing of a cannon that was presented by the Government to the National Cemetery at Attleboro, Mass., and which was stolen by this gang and broken up and sold as old metal; another of the charges is for stealing large quantities of wire from one of the railway companies, and then there are other charges of burglary.

wire from one of the railway companies, and then there are other charges of burglary.

"Last Sunday I interviewed Bly for a period of two hours. He resides at Providence, R. I., and is at large. His statement and Hackett's, while agreeing on some points, differ materially in others. Bly claims that he, with the other three members of the gang left North Adams Sunday evening and went to the Zyolite Mill four miles distant from North Adams, and in the direction of Pittsfield, and only sixteen miles from Pittsfield, and only sixteen miles from Pittsfield; that they remained in a shed near the mill until daylight Monday morning and then spent about an hour in obtaining brass and copper fittings from the mill. He claims that it took them not exceeding one hour to obtain all the fittings which they got from the mill and that they began the work some time after 5 o'clock in the morning, after it was light enough to distinguish in the mill between brass and copper fittings and iron. He also claims that these fittings were carried to North Adams by a team they Ead hired and that the amount they got for them was only \$10.

Damaging Statements.

"Now, the brase and copper fittings in that mill, if all had been obtained, and all could have been obtained in a couple of hours, would have been worth certainly more than \$100. The insignificant amount obtained by these four men for the brass and copper fittings on the morning after the Pittsheld tragedy, in my mind, cuts a significant ngure in this case. Hackett, the other outlaw, a prisoner at Taunton, says that they began their work of tearing biass and copper fittings loose in the evening and worked until their matches gave out, and then they began their work again in the morning after daylight. He said that fron torn loose would be of no value to them whatever, but brass and copper had considerable value.

"I took great pains to ascertain, in interviewing both Bly and Hackett, whether any person other than the four members of the gang saw them at the mill at any time on Sunday evening or at any time on Monday morning before 5 o'clock. They both said that no person saw or discovered them from the time they arrived at the mill on Sunday night until after 6 o'clock Monday morning and that the first person who naw them was a man, who, after milking, brought his cows to turn them in a pasture near the mill; and the second was a person who thought that the dressing case, in which were all the brass and copper fittings, contained trout, and that they finally

"Since the tragedy Bly turned State's evidence against Quinn, Patterson, Hackett and Jack Smith and his son, who also operated with the gang in certain thieving and burglaries. I say, he turned State's evidence, but this was in reference to certain charges of stealing wire and the stealing of the cannon at Attieboro, of which I have already spoken. This, after the arrest of Patterson, greatly curaged him, and one day, loring his temper, he declared, in the presence of two or three persons, that Bly may be able to escape punishment for having assisted in the stealing of the cannon at Attieboro, and for scealing wire, but he will not be able to fix up the Pitts-fleid matter on any such terms.

"A young man by the name of Feeley stated to me on Saturday, the 2d of February, that he saw Quinn at Pattsfield on Monday, the 20th of August, being the same day of the tragedy, and that he had known Quinn for many years, and that Quinn had been drinking some that morning, and invited Mr. Feeley to take a drink with lim, and stated: I put a young woman out of business last night, and they are not going to catch me for it, either." Mr. Feeley urderstood Quinn to refer to the death of Miss Fosburg. Before Bly turned

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prepared to express an opinion. I do know that many an innocent man has suffered and has sometimes been convicted on laise testimony, used by police to satisfy their malice or gratify their vanity."

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REPUBLIC SPECIAL.

Pittsfield, Mass., Feb. 9.-The police officers of Pittsfield are not so strong, apparently, as they have been in their contention that there were no burghers in the Fosburg house at the time of the death of Miss May. They now admit that they may have been mistaken on certain points, alin their possession is sufficient to warrant

the indictment which charges him with hav-ing killed his sister.

The theory that the State has been ad-vancing, and the one upon which, it is be-lieved, the indictment against young Fosnot at home in the evening, but was drink-ing, and that when he did return, he and his wife quarreled. The father of the man

ing, and that when he did return, he and his wife quarreled. The father of the man interfered, and young Fosburg become so erraged that a fight between the men resulted, ending in the son attacking the father with a pistol. The weapon was discharged just as May, the sister, attempted to quiet the men, and the bullet lodged in her heart.

It will be the contention of the Government that the burglar theory was trumped up, and that there was ample time for the ingenious elaboration of this story.

The Government will endeavor to establish the improbability that burglars entered the Fosburg house. It will begin with the alleged encounter between the elder Fosburg and the burglar, who woke him out of a sound eleep to demand his money and valuables at the point of a pistol. Under such circumstances the Government will ask if a man would grapple with the burglar or let the fobber carry out his purpose. The way they left it will be gone into by the Government at considerable length. It will be asked if burglars overlook lewelry to take a hat and pair of trousers. The

ber of the family killed Miss Fosburg, and it will weave the case around young Fosburg, starting with his alleged quarrel with his wife.

The family of Miss Bertha Sheldon, the young Providence, R. L. woman who was a guest of the Fosburgs at the time of the tragedy, declare that she will appear as a witness in the event that the family desires her to do so. She has made this affidavit as to the occurrences of the night:

"The Fosburg family is a very loving, devoted family; there were no quarrels or bickerings among its members. I went there intending to stay there only one week, but stayed eighteen days. Mrs. Fosburg was not home when I arrived there. She was at St. Louis, Mo., and did not reach home until Saturday morning. August 18, in time for breakfast. During that day we had a delightful time, and in the evening we had music and played some simple games. All the family were perfectly happy and devoted to one another.

"On Sunday all the family went to church except young Mr. Fosburg was not feeling well. We spent the afternoon on Sunday reading and talking, and also took a walk around the works of Stanley & Co., near the house. On Sunday evening Miss May Fosburg road to us, and then we had music on the plano and singing. I played the plano and Miss May Fosburg sang "Plains of Peace" and other songs. The "Plains of Peace" was the last, I think, she sang. She also sang other sacred songs. All the family, except Esther, was present. She was visiting at Mrs. Daniel's, I was told. I remember that as the music ceased every member of the family slept on the second floor except James, who slept on the second floor except Jam

This plan, as I remember the house, is correct. I know it is correct as showing the location of the bedrooms and the hall near the bathroom.

"On the morning of August 20, 1860, a little after 1 o'clock. I heard the report of a revolver, and also a person screaming, and I lay listening and thinking for about half a minute, and then got up and went to my door, leading into the room of May Fesburg. As I opened the door the electric light was burning in her room, and I saw May lying on the floor right in front of me, with her feet toward the door. I don't think her feet extended into the deor leading into the half from her room. She was breathing, I think, a little, but she was unconscious. Mrs. Fosburg, her mother, was down on her knees trying to ansist May, and young Mr. R. S. Fosburg was lying in May's room near the door, and, I think was unconscious. His wife was leaning over him trying to assist May. R. L. Fosburg had been injured. One of his eyes and one of his cars were seriously hurt. The moment I opened the door leading from my room into May's and saw her on the floor I asked what had happened. Beatrice was also trying to assist him. Beatrice and, Burglars have entered the house and killed May.

"All the family had on only their night clothes. I was so excited that I did not talk with the family about the matter. The family were in deep disgress. We took breakfast together about 8 o'clock. I was exceedingly nervous, and didn't think I could do arything to benefit any one, and that I would only be in the way, so I concluded to come home. I took dinner with the family at noon or that day and then bid them good-by and took the train for home.

"Neighbors had come in, and also people from Adams. I have not a shadow of doubt that the burglars got into the house and killed May Fosburg. To my mind, II is absurd to think that R. S. Fosburg was killed by burglars precisely as the family state."

It has been stated that Miss Sheldon was reluctant to appear as a witness and that efforts of the State to secure her pr

## BOONE COUNTY PIONEER DEAD.

Mrs. Susan McGuire Passes Away at Age of 91.

REPUBLIC SPECIAL.
Columbia, Mo., Feb. 2.—Mrs. Susan McGuire, a widely known citizen and pioneer of this county, died at the McGuire homestead, nineteen miles east of this city, yesterday. She was 95 years of age and for the past eighteen years had lived in the reighborhood in which she died. Shwas the mother of the Reverend J. M. McGuire of Columbia, Judge R. L. McGuire of Springfield, Ill., and grandmother of A. F. McGuire of Chillicothe, Ind.

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The corner stone of the Jewish Charitable and Educational Associations building will be laid next Tuesday morning at 10 o'c'cock. The building is to be located on the northwest corner of Ninth and Carr streets, and will be a three-story brick and stone structure, to cost £5.00.

It will be the headquarters of the different Jewish charitable organizations of the City, prominent amorg walch are the United Jewish Charities, the Sisterhood of Personal, Service, the Ladies Zion Aid Society, the Hebrew Free and Industrial Schools, the Jewish Alliance and the Day Nursery. The building will contain offices for thesy different organizations, classrooms, gymnasium, batha, kindergarten and nursery and a large assembly and entertainment hall.

The funds for the building were largely realized out of the great charity hamaar given two years ago. The different Jewish organizations of the city united for that purpose and formed an association, with the stone will be very simple, but impressive. It will consist of the invocation by the Reverend Doctor Sale; an address on "Education," by Doctor Harrison, an adjunction, of the city united for that purpose and formed an association, with the stone of the corner stone by Elias Michael, prayer of dedication by Doctor Messing, and blessing by Doctor Spitz. The building is to be completed by next July.

## TO BEGIN NEW HOME FOR JEWISH CHARITABLE WORK.



Which will be erected at the corner of Ninth and Wash streets, at cost of \$35,000, to be completed by next July.